

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Stark et al.
SERIAL NO.: 10/085,985 GROUP: 3679
FILED: 2/28/2002 EXAMINER: Dunwoody
FOR: Double Containment Pipe System

RESPONSE

In response to the Office Action dated 9/17/2004, Applicant submits a substitute page 2 of the Applicant's Brief. In the Office Action, it was stated that the Examiner did not understand that the "Claims 1, 3, 5, 6, 9, 11, 13 and 14 are considered to be under claim 1" were to stand or fall together with Claim 1.

Applicant submits herewith a substitute page 2 of the Brief which now clearly states "Claims 1, 3, 5, 6, 9, 11, 13 and 14 are considered to be under claim 1 and stand or fall together with Claim 1." This is believed to address the issue raised by the Examiner.

Respectfully,



R. William Graham

Reg. No. 33,891

Certificate of Mailing

I hereby certify that this Amendment is being deposited with the United States Postal Service in an envelope addressed to the Board of Appeals and Interferences, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 with sufficient first class postage thereon on the date shown below.

Date. October 20, 2004


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manner which prevents movement thereof with respect to said carrier pipe 12 only. A containment pipe section 14 (FIG. 1) is provided having an inner surface of a diameter to contain the carrier pipe section 12 and readily permit movement therein, wherein an annulus 28 is formed between the carrier pipe section 12 and containment pipe section 14 such that the carrier pipe section 12 and the fins 22 slide as a unit within the containment pipe 14. The system 10 is characterized to include a plurality of the carrier pipe sections 12 as defined which are fixably interconnected to one another and which are operably disposed within a plurality of the containment pipe sections 14 which are removably interconnected to one another by a clamp 16 (FIG. 1).

6. ISSUES

The issues before the Board are:

- 1) Whether Claims 1, 3, 5, 6, 9, 11, 13 and 14 of the present invention are anticipated by U.S. Patent 5,186,502 to Martin under 35 U.S.C 102(b);
- 2) Whether Claims 5 and 13 of the present invention are obvious over Martin in view of U.S. Patent 5,433,484 to Ewen et al. under 35 U.S.C 103(a);
and
- 3) Whether Claims 6 and 14 of the present invention are obvious over Martin in view of U.S. Patent 6,039,066 to Selby under 35 U.S.C 103(a).

7. GROUPING OF CLAIMS

Claims 1, 3, 5, 6, 9, 11, 13 and 14 are considered to be under claim 1 and thus all stand or fall together with claim 1.

8. ARGUMENT